

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of

NAKATSU et al

Serial No. 09/373,544

Filed: August 13, 1999

For: SEMICONDUCTOR LIGHT-EMITTING DIODE

Atty. Ref.: 829-522

Group: 2811

Examiner: Donghee Kang.

\* \* \* \* \*

Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

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JAN 25 2005

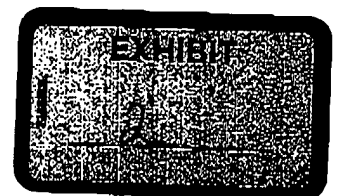
**OFFICE OF PETITIONS****AMENDMENT**

Responsive to the Official Action dated January 28, 2002, please amend the above-identified application as follows:

**IN THE CLAIMS**

Please amend claims 1 and 14 as follows:

1. {TWICE AMENDED} A light -emitting diode comprising:
  - a semiconductor substrate; and
  - a layered structure comprising an AlGaInP type compound semiconductor material and provided on the semiconductor substrate,wherein the layered structure comprises:
  - a light-emitting structure composed of a pair of cladding layers and an active layer for emitting light provided between the pair of cladding layers; and
  - a current diffusion layer comprising an AlGaInP type material which is lattice-mismatched with the light-emitting structure, wherein a lattice mismatch  $\Delta a/a$  of the current diffusion layer with respect to the light-emitting structure defined by the following expression is -1% or smaller:



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